

Express Mail No. \_\_\_\_\_

Attorney Docket No. AOI-73

**REISSUE DECLARATION, OFFER TO SURRENDER ORIGINAL PATENT,  
POWER OF ATTORNEY, AND PETITION**

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below  
next to my name.

I believe I am the original, first inventor and joint inventor of the subject  
matter which is described and claimed in Letters Patent No. 6,305,143B1 entitled:

**COMPOSITE ROOF STRUCTURES PREPARED USING ONE-PART  
MOISTURE CURING POLYURETHANE FOAMING ADHESIVE COMPOSITIONS  
CONTAINING A REVERSIBLY BLOCKED CATALYST**

granted on October 23, 2001, and in the foregoing specification and claims as amended  
by preliminary amendment for which invention I solicit a reissue patent.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS  
AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the  
above identified specification, including the claims, as amended by any amendment  
specifically referred to with the Declaration.

I acknowledge the duty to disclose to the United States Patent and  
Trademark Office all information known to me to be material to patentability as defined  
in Title 37, Code of Federal Regulations §1.56.

**STATEMENT OF INOPERATIVENESS OR INVALIDITY  
OF ORIGINAL PATENT 37 C.F.R. §1.175**

I believe the original patent, U.S. Patent No. 6,305,143B1, ("The original patent") to be wholly or partly inoperative or invalid by reason of the patentee's claiming more or less than the patentee had the right to claim in the original patent.

Independent claim 1 and dependent claims 2-6 as issued in the original patent do not claim the invention as broadly as we are entitled to claim it. Claim 1 as issued is directed to a method of adhering roofing material to a roofing deck, including applying an adhesive composition having a reversibly blocked catalyst "consisting essentially of the addition product of a sulfonyl isocyanate and a tertiary amine and/or a tin (II) or a tin (IV) carboxylate composition" (as a polyurethane formation catalyst). It is unclear in claim 1 whether the phrase "a tertiary amine and/or a tin (II) or a tin (IV) carboxylate" encompassed such a method wherein the addition product in the reversibly blocked catalyst is an addition product of sulfonyl isocyanate and all three catalysts, i.e., the tertiary amine, a tin (II) carboxylate composition and a tin (IV) carboxylate composition.

This was corrected in new claim 7 by changing the wording in paragraph Aii of original claim 1 from "the addition product of a sulfonyl isocyanate and a tertiary amine and/or tin (II) or tin (IV) carboxylate composition" to "the addition product of a sulfonyl isocyanate and at least one of the group consisting of a tertiary amine, a tin (II) structural unit and a tin (IV) structural unit." This makes clear that the reversibly blocked isocyanate catalyst can be the addition product of a sulfonyl isocyanate and any one of or all of the tertiary amine, the tin (II) structural unit, and the tin (IV) structural unit, whereas with the original claim it was unclear whether or not the reversibly blocked

catalyst could be the reaction product of the sulfonyl isocyanate and all three of the tertiary amine tin (II) structural unit and tin (IV) structural unit. New claims 8, 9, 10 and 11 were simply intended to provide the same limitations as claims 2, 3, 4 and 5, but dependent on new claim 7. Claim 12, change the language from claim 7 wherein it is stated that the sulfonyl isocyanate reacted with "at least one of the group of the three tertiary amine tin (II) structural unit and tin (IV) structural unit" to at least two of these. Finally, claim 13, dependent on claim 7, specifically claims that the reversibly blocked catalyst consists of the addition product of sulfonyl isocyanate with all three of the different components, the tertiary amine, the tin (II) structural unit and the tin (IV) structural unit. Support for this breadth exists at least at column 3, lines 49-56, and column 4, lines 57-59 of the specification.

Further, the original claims defined the tin (II) and tin (IV) components as tin carboxylate compositions whereas the application teaches the use of tin (II) and tin (IV) structural units. This is supported at column 4, lines 55-57 and specifically in the incorporation by reference patent 4,824,595.

This error was corrected by replacing the term "carboxylate" with "structural unit". Thus, in claim 1, where it refers to tin (II) or tin (IV) carboxylate compositions, this was changed in claim 7 to "tin (II) structural unit as well as tin (IV) structural unit." Again, claims 8, 9, 10 and 11 insert the same limitations as claims 2, 3, 4, and 5. Claim 12 is a modification of claim 6, replacing the term "carboxylate composition" with "tin (II) structural units or tin (IV) structural units." And, finally, new claim 13 specifically refers to "tin (II) structural units and tin (IV) structural units."

All errors which are being corrected in the present reissue application up to the time of the filing of this Declaration arose without any deceptive intention on my part.

#### **OFFER TO SURRENDER ORIGINAL PATENT**

I understand that, before the reissue application is allowed, the original patent must be surrendered, or if the original patent is lost or inaccessible, an affidavit or declaration to that effect must be filed. I further understand, that if this reissue application is refused, then the original patent does not need to be surrendered. With this understanding, I offer to surrender the original patent prior to the allowance of this reissue application, pursuant to Title 37, Code of Federal Regulations, §1.178.

#### **POWER OF ATTORNEY**

I hereby appoint the attorneys of Wood, Herron & Evans, L.L.P., 2700 Carew Tower, 441 Vine Street, Cincinnati, OH 45202-2917, under customer number 26,875, my attorneys, with full power of substitute and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

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Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the application specification and claims, and whereby I subscribe my name to the foregoing application specification and claims, declaration, offer to surrender original patent, power of attorney, and this petition.

I declare that all statements made in this document of my knowledge are true, and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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